

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-10, 12 and 14. Claims 2-5, 12 and 14 have been amended and claim 1 has been cancelled. Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Support for the amendment can be found at least at page 9, lines 4-14, at page 11, line 14 to page 13, line 5 and at page 20, line 25 to page 22, line 2 of the Specification as filed.

Claims 2-10, 12 and 14 are pending and under consideration. No new matter has been added. The Examiner's rejections are traversed below.

I. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, at pages 2-6, claim 1-10, 12 and 14 were rejected under 35 USC § 102(b) as being anticipated by Jackson et al. (US Pub. No. 2002/0152305 A1, Jackson hereinafter). As mentioned above, claim 1 is cancelled herein without prejudice.

Claim 3 has been amended to recite the features of "generating respective transitions of the past transaction occurrence amount in a plurality of types of cycles using the data representing the transition of the past transaction occurrence amount of the target module", "displaying the generated transitions in the plurality of types of cycles on a screen" and "generating a transition of a predicted transaction occurrence amount of the target module in specific cycle units by combining the transitions of the past transaction occurrence amount in two or more types of cycles selected by an operator from among the plurality of types of cycles." Claims 2, 12 and 14 have been amended to recite similar features.

It is respectfully submitted that Jackson does not teach or suggest at least the aforementioned features of claims 2, 3, 12 and 14.

Specifically, Jackson fails to teach or suggest "generating respective transitions of the past transaction occurrence amount in a plurality of types of cycles using the data representing the transition of the past transaction occurrence amount of the target module", "displaying the generated transitions in the plurality of types of cycles on a screen" and "generating a transition of a predicted transaction occurrence amount of the target module in specific cycle units by combining the transitions of the past transaction occurrence amount in two or more types of cycles selected by an operator from among the plurality of types of cycles."

Instead, Jackson merely discusses a workload re-allocation based on a comparison of parameters with thresholds at paragraph 0466. There is no suggestion of combining the transitions of the past transaction occurrence amount in two or more types of cycles.

Therefore, Jackson does not disclose or suggest at least the feature of "generating respective transitions of the past transaction occurrence amount in a plurality of types of cycles", and "... combining the transitions of the past transaction occurrence amount in two or more types of cycles selected by an operator from among the plurality of types of cycles", as taught by the claimed invention.

In light of the above, Jackson does not disclose every element of the Applicants' independent claims. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Jackson does not disclose the features recited in the independent claims, as stated above, it is respectfully submitted that the independent claims patentably distinguish over Jackson.

Claims 4-10 depend from independent claim 2 and include all the features of claim 2 plus additional features that are not discussed or suggested by Jackson. Therefore, claims 4-10 patentably distinguish over Jackson.

The dependent claims are also independently patentable. For example, as recited in claim 8, "preferentially allocating resources to the target module during a period since a transaction occurrence amount of the target module reaches a predetermined bottleneck detection threshold until a transaction occurrence amount of the target module reaches a bottleneck elimination threshold." Jackson does not teach or suggest these features of claim 8, instead Jackson is directed to load balancing/workload reallocation tasks based on the results of analyses performed on resource utilization information retrieved from history repository (see, paragraphs 461 and 466).

In view of the foregoing, it is respectfully submitted that the rejection is overcome.

II. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

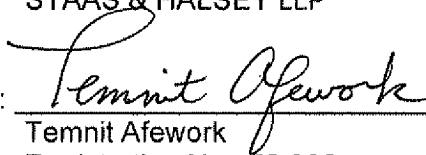
Serial No. 10/806,211

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 10/23/2008

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